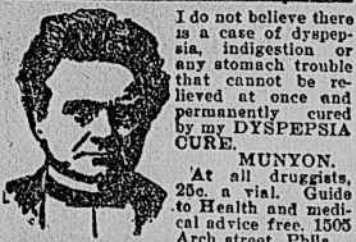


## MUNYON'S



## DYSPEPSIA CURE

## ORDER



YOUR PLUMBING, GAS AND STEAM  
FITTING, etc. Phone us your order.  
We will be prompt to serve you. Special  
attention paid to repair work.

KELLY, THORNTON & WILLIAMS  
N. W. Cor. Bank and Washington sts.  
New Phone 1640. Old Phone 836.  
Jas-eod-ly

## THE HENRY WALKER CO.,

SAW MILL,  
And Railroad Supplies,  
HARDWARE AND SHIP CHANDLERY

"Giant" and "Giant Planer," Leather  
Belting, "Giant," "Granite," and "Shaw-  
mut" Rubber Belting.  
Agent for Knowles' Steam Pumping  
Machine.

## W. H. TAYLOR & CO.,

224 Water Street.  
RAILROAD, STEAMBOAT AND MILL  
SUPPLIES.

Agents for this section for the sale of  
Graton & Knight's Leather Belting, New  
York Belting and Packing Company's  
Rubber Goods, Knowlton's Patent Pack-  
ing, Snow Steam Pumps, etc.

## Norfolk Iron Works,

GEO. W. DUVAL & CO.,  
NO. 15 WATER STREET, NORFOLK.  
ENGINES, BOILERS, SAWMILLS, and  
all kinds of machinery of the most im-  
proved patterns. Also repairing at the  
shortest notice. Particular attention to  
steamboat work. DUVAL'S PATENT  
BOILER TUBE FERRULES are the  
only perfect remedy for leaky boiler  
tubes. They can be inserted in a few  
minutes by any engineer, and are war-  
ranted to stop leaks.

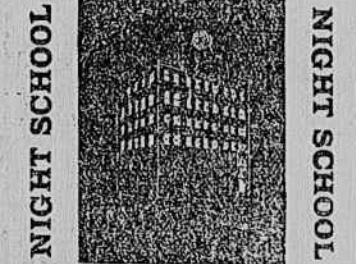
E. L. MAYER. WM. M. WHALEY  
MAYER & CO.,  
Manufacturers' Agents, Importers and  
Dealers in

## MACHINERY

and supplies, Tools, Shafting and Pulleys,  
Engines and Boilers, Pumps, Injectors,  
Siphones, Hose, Iron Pipe and Fittings,  
Valves, Cocks, &c., Saws, Raising Gear,  
Bolts, Nuts, Washers, Belting, Packing,  
Waste, Iron, Steel, Nails, Oils, Cordage.  
We guarantee the quality of our goods  
and also prompt delivery, and with in-  
creased facilities we are prepared to meet  
all competitors. Inquiries and orders so-  
lited.

33 COMMERCIAL PLACE,  
NORFOLK, VIRGINIA.  
Jas-eod-ly

## ATTEND THE



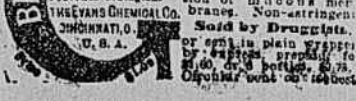
NIGHT SCHOOL  
At the Southern Shorthand and Business  
University. Call or phone for  
particulars. J. M. RESSLER,  
President.

## Concentrated Soups

7c. a Can.  
Olives, . . . . . 50c. Gal.  
New Mixed Nuts, . . . 8c. lb.  
Choice Smithfield Hams, 16c. lb.

## LOWE & MILLER'S

62 GRANBY ST.



Sick headache. Food doesn't  
digest well, appetite poor, bowels con-  
stipated, tongue coated. It's your  
liver! Ayer's Pills are liver pills,  
easy and safe. They cure dyspepsia,  
biliousness. 25c. All Druggists.

## COURT DECISIONS.

DIGESTED BY W. B. MARTIN.  
(Exclusively for Virginian-Pilot.)

### Notes of Cases Recently Decided, Which are of Interest to Our People.

#### JONES V. WILLIAMSBURG.

Supreme Court of Appeals of Virginia.  
January 13, 1900.

A CITY IS LIABLE FOR FAILURE  
TO KEEP ITS STREETS IN A REA-  
SONABLY SAFE CONDITION, BUT  
NOT FOR A FAILURE TO PASS AN  
ORDINANCE PROHIBITING BICY-  
CLISTS FROM USING THE SIDE-  
WALKS.

The plaintiff was struck and injured  
while upon a sidewalk of the city of  
Williamsburg by a bicycle that was be-  
ing ridden upon such sidewalk, and he  
brought this suit against the city for  
damages. The city demurred to the de-  
claration, the lower court sustained the  
demurrer and Jones appealed.

The court says:  
A municipal corporation has a dual  
character, one public and the other pri-  
vate, and exercises correspondingly  
two-fold functions, the one governmen-  
tal and legislative, and the other pri-  
vate and ministerial.

The line of distinction between the  
two classes of powers and duties is  
clearly drawn by the courts and text-  
writers, and the exemption of the mu-  
nicipality from liability in the one case,  
and its liability in the other, for an  
injury resulting from negligence, firmly  
established.

Streets, like other highways, are for  
the use of the public, and their use is  
none the less for the public at large be-  
cause they are within the municipality  
and subject to its supervision and con-  
trol. Streets, as popularly distinguished  
from sidewalks, though including the  
latter, are principally designed for the  
use of vehicles and animals, and side-  
walks for the use of pedestrians. Bicy-  
cles come under the definition and de-  
scription of vehicles, and sidewalks are  
not the proper place for them. But the  
right to regulate the use of the high-  
ways of the State or of the streets of a  
city is clearly a governmental power,  
and its exercise, whether by the State  
or by a municipal corporation as an  
agency of the State, is legislative and  
discretionary; and being legislative and  
discretionary, a municipal corporation,  
as an arm of the State, is no more liable  
for its improper exercise than the State  
itself would be.

The defendant was empowered by its  
charter to lay off streets and walks and  
improve the same, but it was wholly  
within its discretion when and where it  
would do so. For the omission to ex-  
ercise the power, it being legislative and  
discretionary, it would not be liable for  
an injury occurring in consequence of  
the omission, although when the power  
was exercised the duty to keep the  
streets and walks in a reasonably safe  
condition for travel would become a  
ministerial and positive duty, for the  
neglect whereof it would be liable for  
an injury resulting therefrom. The  
condition of the street or walk, how-  
ever, is one thing, and the manner of  
its use by the public is quite a differ-  
ent thing. For its safe condition the  
city is responsible, but for its unlaw-  
ful or improper use, it is not.

The exemption of a municipality from  
liability for an injury resulting from  
the unlawful or improper use of its  
streets and sidewalks, with the reason  
therefor, is very clearly stated in the  
City of Lafayette vs. Timberlake,  
supra, a case of injury resulting from  
"coasting" upon a sidewalk, where the  
court said:  
"The manner in which a highway of  
a city is used is a different thing from  
its quality and condition as a street.  
The construction and maintenance of  
a street in a safe condition for travel  
is a corporate duty, and for a breach of  
each duty an action will lie; but mal-  
ing and enforcing ordinances regu-  
lating the use of streets brings into ex-  
ercise governmental, and not corporate,  
powers, and the authorities are well  
agreed that for a failure to exercise leg-  
islative, judicial or executive powers of  
government, there is no liability."  
An injury caused by a bicycle ridden  
upon a sidewalk is not distinguishable  
from an injury caused by "coasting,"  
and the ground of exemption from li-  
ability applies equally in the former case  
as in the latter.

Our conclusion is that the declaration  
does not state a case of legal liability,  
and that the demurrer was properly  
sustained. The judgment of the Cir-  
cuit Court must be affirmed. Affirmed.

#### WHITE V. TRIPP.

Supreme Court of North Carolina.  
December 22, 1899.

A SALE OF GOODS TO A TENANT  
UPON THE LANDLORD'S RE-  
QUEST IS NOT WITHIN THE  
STATUTE OF FRAUDS.

The court says:  
The verdict settles the question of  
debt in favor of plaintiff, unless some  
error was committed during the trial.  
The plaintiff testified in favor of his  
claim, and the defendant's testimony  
was in conflict with the plaintiff's. Each  
side introduced other witnesses in sup-  
port of his statement, all of which was

considered by the jury. The defend-  
ant insisted that his promise was void  
(Code, section 1552), as a promise to pay  
the debt of another. The plaintiff was  
allowed to prove by the defendant's  
witness the custom of keeping books,  
in that section, where goods are fur-  
nished at the request of a third party,  
when the third person is a landlord of  
him to whom the goods are to be fur-  
nished; and the defendant excepted.  
The competency of this evidence is the  
principal question in the case. We  
think the evidence was corroborative,  
and, in that view, competent. The  
plaintiff had testified positively, and  
the defendant's testimony tended to im-  
peach the plaintiff's testimony; and the  
usage and method of keeping accounts  
in such cases were circumstances which  
might aid the jury in arriving at a just  
conclusion. Such custom and usage  
have been held competent. His honor  
told the jury that, if the defendant au-  
thorized the selling to the son, the  
plaintiff could recover, although the  
goods were charged to J. B. Tripp in  
the manner stated in the case. He al-  
so charged the jury on the law of pri-  
ncipal and agent, and that if the credit  
was given to J. B. Tripp, with Joseph  
Tripp as surety, then the defendant  
would not be liable. There is nothing  
in these instructions of which the de-  
fendant can justly complain. The  
promise, as the jury have found it to  
be, under the charge, is not required  
to be in writing. The liability of the  
defendant depends upon his agreement  
or promise to the plaintiff, and not up-  
on the manner in which the plaintiff  
stated the account on his books. The  
latter was evidence properly before the  
jury, under the circumstances and for  
the purpose already stated. Affirmed.

#### BRAMBLETON.

The funeral of Mrs. Mary L. Good-  
son, who passed away at the home of  
her son, Mr. G. W. Goodson, No. 831  
Highland avenue, Sunday, was solemn-  
ized from the residence at 3 o'clock yester-  
day afternoon. The services were  
conducted by Rev. John H. Dickinson,  
assistant rector of Christ Episcopal  
Church, and Rev. S. C. Hatcher, of  
Queen Street M. E. Church. The re-  
mains were laid to rest in Elmwood  
Cemetery. Following were the pall-  
bearers: Messrs. W. T. Ayres, Philip  
Morrisett, Dennis M. Capps, E. Ke-  
ebee, Joseph Malbon, David Hitchens,  
W. T. Owens and George Woodhouse.  
Corinthian Lodge of Masons had work  
in the third degree at their lodge room  
in Ingram's Hall last night.

Rev. J. J. Hall will leave for Black-  
water, Va., Thursday morning, where he  
will that night deliver a lecture for the  
benefit of the Baptist church there.  
The State Committee of the Local  
Board was in session for several hours  
last night, discussing the question of  
street improvements. It was decided to  
raise the grade of the sidewalks of  
Brown and Reeves avenues, and to lay  
the sidewalks of Sheldon and Kelly  
avenues, the streets now undergoing  
permanent improvement with silted  
clinders, and to have similar work done  
on the other avenues in their regular  
order.

Miss Nannie Jordan, of Barter, Nor-  
folk county, is visiting Mrs. L. M. Dod-  
damead, of North Marshall avenue.

Miss Lottie Gaylord, of Cecilia ave-  
nue, is recovering from a severe illness  
of several weeks.

The Ladies' Enterprise Society of  
McKendree M. B. Church will hold an  
important meeting at the church at 4  
o'clock this afternoon.

The new Democratic club organized  
last Thursday night will meet at Wil-  
liamson's Hall, on Park avenue, at 7:30  
o'clock to-morrow night. All Demo-  
crats are invited to be present and en-  
roll their names as members.

A large congregation attended the re-  
vival services at Spurgeon Memorial  
Baptist Church last night. Much inter-  
est was manifested in the exercises.

The Brambleton Democratic Club will  
hold its regular weekly meeting at their  
club rooms on West Brambleton avenue  
to-morrow night.

The musical and ice cream festival  
given at the residence of Mrs. Leon  
Hosler last night, at No. 713 Brambleton  
avenue, for the benefit of the Sa-  
lem Baptist Church, was a success. The  
musical selections were well rendered  
and the receipts gratifying.

The meeting of the Brambleton W.  
C. T. U. at the home of the president,  
No. 202 North Park avenue, yesterday  
afternoon, was well attended. Matters  
of interest to the union were freely dis-  
cussed and plans laid for the work of  
the coming week.

Mr. George W. Smith is confined to  
his home, No. 590 Tunstall avenue, hav-  
ing been stuck in his foot Thursday  
last at Wrenn's carriage factory.

#### ATLANTIC CITY.

The regular meeting of the Home  
Mission and Parsonage Society of Le-  
kies Memorial Church was held Mon-  
day night, and business of much inter-  
est to the society was transacted. The  
following officers were elected for the  
ensuing year:

President—Mrs. Warner Burroughs.  
Vice-President—Mrs. W. A. Griffin.  
Secretary—Miss Mattie Blitt.  
Corresponding Secretary—Miss Flor-  
ence Thornton.

Treasurer—Mrs. E. D. Knight.  
Visiting Committee—Mrs. C. H. Fen-  
tress, Mrs. W. A. Griffin, Mrs. George  
C. Fawcett.

Mission Board—Mrs. W. Burroughs,  
Mrs. C. H. Fentress, Mrs. Seeley  
Hudgins.

#### BREVITIES.

There will be a "Donkey Party"  
given at the residence of Mrs. R. L.  
Holland, on Pool street, to-morrow  
night from 8 to 11 o'clock for the benefit  
of the new Baptist Church. All are in-  
vited to come. Ten cents admission  
will entitle each visitor to cake and jelly,  
after which cream will be sold. A  
program of choice music and recita-  
tions has been arranged for the oc-  
casion.

Rev. E. E. Dudley has returned from  
Elizabeth City, N. C., where he preached  
Sunday.

The Earnest Workers of Central Ave-  
nue Baptist Church held its regular  
weekly meeting last night. The exer-  
cises were exceedingly interesting.

The congregation of the Central Ave-  
nue Baptist Church is moving in the  
matter of erecting a new church. The  
site is on Olney road, near the corner  
of Manteo street, and ground will be  
broken preparatory to building early  
in the spring.

## BRIEF ITEMS OF INTEREST.

The Richmond Dispatch: Miss Fran-  
ces Randolph, of Norfolk, is the guest  
of the Misses Randolph, at Emmanuel  
rectory.

The Richmond Dispatch: Miss Fan-  
nie Pollard, who has been visiting Miss  
Reld, of Norfolk, has returned home.

Police Officer William Ruddle has  
returned from Washington, D. C.,  
where he spent his ten days furlough.

The heavy rainfall yesterday morning  
flooded many of the streets in the lower  
part of the city for some time and made  
it disagreeable to pedestrians.

Mrs. Lucy D. Lewellyn has issued  
cards to the marriage of her daughter,  
Miss Eleanor Bagley, to Mr. Harry Lee  
Griswold, Friday evening, the 20th in-  
stant, at 6:45 o'clock in Centenary M.  
E. Church.

Mr. and Mrs. C. J. Finch and family  
have removed from No. 175 Bank street  
to No. 57 Berkeley avenue, Berkeley. Mr.  
Finch was until recently proprietor of  
the Norfolk Candy Kitchen, but is now  
the proprietor of a large carriage and  
wagon shop at Berkeley.

There will be a meeting of the Wash-  
ington Circle of the King's Daughters  
at the home of Mrs. Wing's, No. 591  
Bute street, at 11 o'clock to-morrow  
morning.

Lloyd T. Cropper died at his home,  
No. 49 Virginia street, yesterday morn-  
ing. He leaves a widow and several  
children.

The Norfolk W. C. T. U. meets at the  
Y. M. C. A. at 9:30 o'clock this morning.  
The Young Daughters of the Con-  
federacy will hold their monthly meet-  
ing at the residence of Mrs. Frank  
Anthony Waiko, Grace street, at 4  
o'clock this afternoon.

A called meeting of the King's  
Daughters of Sunshine Circle will be  
held at 4 o'clock this afternoon with  
the secretary.

The advertisement of the Port Nor-  
folk Investment Company, found on  
another page, is full of vigor and will,  
no doubt, be read with the interest the  
notice of this company always in-  
voke.

The Tinnors' and Lathens' Unions  
held well-attended meetings last night  
at C. L. U. Hall.

The Norfolk Light Artillery Blues  
held their monthly meeting at their  
room in the Armory last night.

Mrs. S. Goldsmith, of Olney Road,  
Ghent, has just returned from Atlanta,  
Ga., after an absence of two weeks,  
visiting her relatives.

#### Francis Barnes Y.'s Meet.

The regular weekly meeting of the  
Frances Barnes Y.'s was held last  
evening at No. 90 Charlotte street.

A very interesting letter was read  
from the State Y secretary, which told  
that the Y missionary from Japan,  
Miss Clara Parish, would be at Char-  
lottesville at the State convention in  
October.

Temperance hymns were sung and a  
committee was appointed to receive  
donations for the W. C. T. U. Hall.

#### Cupid's Day.

To-day is the day of the year spec-  
ially dedicated to St. Valentine and  
Cupid. A leading Norfolk business man  
who has been handling valentines for  
over twenty years states that the sale  
of these articles has been far larger  
this year than for many years past.

The increase in demand applies to all  
grades, from the cheap ones for a cent  
each up to the dainty little works of  
work that are only to be had at fancy  
prices.

#### Not Willie Chan Sing.

In an advertisement which appeared  
in The Virginian-Pilot Sunday morning  
under head of "Special Mention," spe-  
cial prices of another Chinese laundry  
were attributed to Willie Chan Sing.

This was an error, due to a misun-  
derstanding of the name, which was also  
"Sing."

## NERVOUS?

Nerve Weakness? Run Down?

Painful Swellings? Shift-

ing Aches and Pains?

Cured by Dr. Hallock's Won-

derful Electric Pills, the

Greatest Blood and Nerve

Builder of the Age—50

Years of Cures.

If you have tried patent medicines, sar-

saparillas and doctored, and still have

the aches and pains and symptoms named

above, also confusion of ideas, the blues,

palpitation of the heart, nervous debility

due to a drugged nervous system, then

you should take Dr. Hallock's Wonderful

Electric Pills for weak, worn-out, nervous

systems. These pills are made for all

deep-seated, obstinate nervous troubles—

the kind that refuse to heal under ordi-

nary treatment. The pills have been

thoroughly tested for 50 years, and never

fail to cure.

## Women Especially

Expend great nerve energy. This causes

the most intense suffering—startled at

trifles—sleeplessness—irritable without

## Returned to Washington.

Hon. William A. Young returned to  
Washington last night to look after his  
interests in connection with the contest  
Dr. Wise is waging for his seat. Just  
before leaving the city he received the  
following telegram from Hon. James  
Hay, Representative of the Seventh  
District:

"Report will be made; nothing going  
on to demand your presence before  
Wednesday."  
It is due to Mr. Young to say that  
the minority report was made by Judge  
Burke, of Texas, a member of the  
House Elections Committee, at the  
proper time and in proper form.

## At Virginia Beach.

Manager Frank Morton, of the  
Princess Anne Hotel, Virginia Beach,  
reports that there are numerous guests  
enjoying the delightful winter season  
at this popular hostelry.

There are many prominent people  
there among them being Prof. Walter  
Graham Bell, inventor of the Bell  
telephone and his wife, and her maid,  
Mrs. Bell arrived in Norfolk Monday  
and, after breakfast at the Monticello,  
went on to the Princess Anne. Mr. and  
Mrs. Bell expect to spend several days  
at Virginia Beach.

## LAMBERT'S POINT.

A meeting of the committee having  
in charge the matter of the details of  
a charter for the proposed town of  
Lambert's Point was held Monday  
night at the residence of Captain W. S.  
Parker. Mr. J. S. Cooper presided as  
chairman. The full committee was  
present.

The general meeting of the citizens  
of Lambert's Point will be held to-  
morrow night at Odd Fellows' Hall at  
7:30 o'clock. The proposed charter will  
be presented at this meeting for con-  
sideration.

## Southern Carnival Company.

Mr. Harry B. Potter, proprietor of the  
Great Southern Midway and Carnival  
Company, states that in his advertising  
he made a mistake as to street number  
of his office, and that he is not located  
at No. 13 Bank street, but at room 405  
Citizens' Bank building. The address  
is given in the Virginian-Pilot yester-  
day was taken from Mr. Potter's ad-  
vertisement in the New York Clipper.

## OTHER LOCAL ON PAGE 6

## Started New Hair

Hon. John H. Gardner, member Wyom-  
ing State Legislature from Benah, Crook  
Co., in letter dated February 20, 1899, to the

## 7 Sutherland Sisters

says: "According to agreement made  
in Salt Lake City, if your preparations  
proved a benefit to my bald head, I was to  
send you a testimonial. There is a fine  
growth of new hair started. Am not  
troubled any more with dandruff and that  
annoying itching of the scalp. I have tried  
everything I could hear of before I saw you,  
but received no benefit. You can use this  
if you wish. Please send me half-dozen  
bottles."

We have thousands of testimonials  
equally as strong. All hair and scalp  
troubles readily succumb to these meritori-  
ous preparations.  
Sold by dealers everywhere.

## CUT PRICE SALE.

Trunks.

Suit Cases.

Travelling Bags.

Leather Goods.

Travelers Supplies.

Our Guarantee

We keep all Trunks in

repair free of charge

for one year.

Norfolk Trunk Factory,

172 CHURCH STREET,

Near Main.

The only Trunk

Store in the City.

OLD PHONE 1135.

## Pennyroyal Pills

Chickadee's English Diamond Brand.

Original and Only Genuine.

For the cure of all diseases of the

urinary system, such as gonorrhea,

syphilis, etc., and all diseases of the

blood, such as leucoderma, etc., and

all diseases of the skin, such as eczema,

psoriasis, etc., and all diseases of the

respiratory system, such as asthma,

bronchitis, etc., and all diseases of the

digestive system, such as indigestion,

constipation, etc., and all diseases of the

female system, such as leucorrhoea,

menstrual disorders, etc., and all

diseases of the eyes, such as

catarrh, etc., and all diseases of the

throat, such as tonsillitis, etc., and

all diseases of the lungs, such as

phthisis, etc., and all diseases of the

heart, such as angina pectoris, etc.,

and all diseases of the nervous system,

such as hysteria, etc., and all diseases

of the brain, such as epilepsy, etc.,

and all diseases of the spinal cord,

such as paraplegia, etc., and all

diseases of the peripheral nerves, such

## The Saks Stores

231, 236, 238 Main Street.



Does your coat collar have the an-  
noying habit of "visiting" the base of  
your brain?